

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

REC'D 19 MAY 2005

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/B2005/050186

International filing date (day/month/year)
17.01.2005

Priority date (day/month/year)
20.01.2004

International Patent Classification (IPC) or both national classification and IPC
G06F17/30

Applicant
KONINKLIJKE PHILIPS ELECTRONICS, N.V.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Milasinovic, G
Telephone No. +49 89 2399-5611



WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/IB2005/050186

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material:
 in written format
 in computer readable form
 - c. time of filing/furnishing:
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/IB2005/050186

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	7, 10-15, 18-20
	No: Claims	1-6, 8, 9, 16, 17, 21
Inventive step (IS)	Yes: Claims	
	No: Claims	1-21
Industrial applicability (IA)	Yes: Claims	1-21
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Documents

1.1 The following document is referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: EP-A-1 176 520 (SEIKO EPSON CORPORATION) 30 January 2002 (2002-01-30)

2 Clarity

2.1 The term "e-book" used in claims 1, 3, 4, 7, 9, 15, 16, 19 and 20 is **unclear** with regard to Article 6 PCT since it doesn't represent a defined standard document format but rather specifies a digital data format suitable for displaying, usually textual and graphical, media content. Therefore, within this communication, the term "e-book" will be interpreted as "*digital data format, suitable to define documents having textual and graphical elements and formatting information*" since these represent the commonly known elements of digital documents.

2.2 The term "compiler" used in claims 1 and 9 is **unclear** with regard to Article 6 PCT since this term is usually associated with tools for translating one source data format (i.e. the source code of a programming language) into a target data format (i.e. binary machine code of a micro processor). However, from the description (page 2, paragraph 5, line 2-3, "The compiler is configured to combine one or more of the segments...into an e-book...") it appears that one or more document elements are assembled into a new document. Therefore, the term "compiler" will be interpreted as "document assembler" or "document builder" for the rest of this communication.

3 Novelty of independent claim 1

3.1 Document D1 is regarded as closest prior art. It discloses in the original wording of independent claim 1 (reference to the closest prior art is made in parentheses; the original wording of the claim is set in *italic font*):

An e-book system comprising:

a searcher that is configured to locate segments (paragraph 8, line 7-9, "...obtaining content information that represent at least part of the content of each selected document...") of a plurality of publications (paragraph 8, line 3-4, "...identifying a plurality of documents each having content deemed to satisfy one or more criteria with respect to the one or more preferred categories...") based on a user profile (paragraph 8, line 2, "...obtaining preferences of the recipient..."), a compiler, operably coupled to the searcher, that is configured to create an e-book (paragraph 7, line 1, "...to provide a computer-network based newspaper..." and paragraph 8, line 8-9, "...generating a representation of articles..."; discloses the generation of a newspaper through the rendering of a list of articles; and paragraph 23, line 1, "...electronic book.."; discloses that the newspaper can be viewed on an apparatus as an e-book) from the segments.

3.2 Therefore, the subject-matter of claim 1 is **not new** in the sense of Article 33(2) PCT.

4 Novelty of independent method claim 16

4.1 Since independant method claim 16 only contains features that correspond to those of claim 1, the objections concerning novelty of claim 1 **apply accordingly**.

5 Novelty of dependent claims

5.1 Dependent claims 2-6, 8, 9, 17 and 21 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT with respect to **novelty**, the reasons being as follows (reference to the closest prior art is made in parentheses; the original wording of the claim is set in *italic font*):

5.2 **Claims 2 and 17: creating the user profile, based on interactions with a user (D1, figures 5A-5I;** depict various configuration screens where a user can specify his/her profile).

5.3 **Claims 3 and 4:** D1 discloses that a user is notified of a newly created e-book by sending it via e-mail (**figure 5G**).

5.4 **Claim 5:** charging the recipient for the e-book is disclosed in **D1 (paragraph 80, line 7-11, "...thereby reducing or eliminating any charge to the recipient.")**.

5.5 **Claim 6 and 21:** modifying the user profile based on subsequent activities of a user

(D1, paragraph 110, line 1-3, "...receives indications of recipient activity with respect to the formatted newspaper and revise profile information...").

5.6 **Claim 8:** D1 discloses the Internet as source for searching articles (paragraph 2, line 3, "...such as the Internet provide an additional source of information...").

5.7 **Claim 9:** *formatting the e-book based on preferences of a user* (D1, paragraph 8, line 8-9, "...and generating a representation of articles including the content information such that a presentation of the representation conforms to the preferred presentation layout....").

6 Inventiveness of dependent claims

6.1 Dependent claims 7, 10-15, 18 and 20 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT with respect to **inventive step**, the reasons being as follows (reference to the closest prior art is made in parentheses):

6.2 **Claims 7 and 20:** editing a document is a standard feature of text processing systems and therefore not inventive.

6.3 **Claims 10 and 18:** since a generic user profile represents a profile with default values, the subject-matter of this claim is well-known in the field of application development and therefore obvious to the skilled person.

6.4 **Claim 11 and 15:** grouping users and their profiles in hierarchies and applying the profile hierarchically is a standard feature of data retrieval systems such as i.e. database systems and therefore well-known to a skilled person.

6.5 **Claims 12 and 13:** specify various terms widely used for literature search at well-known sites such as Amazon or Google and are therefore obvious to a skilled person.

6.6 **Claim 14:** marking articles as already sent or read is a general concept of data distributing systems such as i.e. e-mail systems. They merely implement a common behaviour of a reader who wants to avoid reading the same document twice. Therefore it would be obvious to a skilled person to provide it as standard feature.

Re Item VIII

Certain observations on the international application

7 The subject-matter of claim 19 is **not allowable** with regard to Rule 6.3(a) PCT since it purely relates to a method of doing business without providing a technical effect.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

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8 See further objections under item 2.

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